

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re

Lordstown Motors Corp., *et al.*,¹

Debtors.

Chapter 11

Case No. 23-10831 (MFW)

(Jointly Administered)

Re: Docket No. 647

**CERTIFICATION OF COUNSEL REGARDING APPLICATION OF THE DEBTORS
FOR AN ORDER UNDER 11 U.S.C. §§ 327(A) and 328 (A), FED. BANKR. P. 2014 AND
2016, AND DEL. BANKR. L.R. 2014-1 AND 2016-1 AUTHORIZING AND
APPROVING THE EMPLOYMENT AND RETENTION OF
WOMBLE BOND DICKINSON (US) LLP AS CO-COUNSEL
NUNC PRO TUNC TO OCTOBER 6, 2023**

The undersigned counsel to the above-captioned debtors and debtors-in-possession (the “**Debtors**”) hereby certifies as follows:

1. On October 31, 2023 the Debtors filed the *Application of the Debtors for an Order Under 11 U.S.C. §§ 327(a) and 328(a), Fed. R. Bankr. P. 2014 and 2016, and Del. Bankr. L.R. 2014-1 and 2016-1 Authorizing and Approving the Employment and Retention of Womble Bond Dickinson (US) LLP as Co-Counsel Nunc Pro Tunc to October 6, 2023* [Docket No. 647] (the “**Application**”). Attached to the Application was, among other things, a proposed form of order approving the relief requested in the Application (the “**Proposed Order**”).

2. Pursuant to the notice filed with the Application, any objection or response to the relief requested in the Application was to be filed and served so as to be received no later than **November 14, 2023 at 4:00 p.m. (Eastern Time)** (the “**Objection Deadline**”).

¹ The Debtors and the last four digits of their respective taxpayer identification numbers are: Lordstown Motors Corporation (3239); Lordstown EV Corporation (2250); and Lordstown EV Sales LLC (9101). The Debtors’ service address is 27000 Hills Tech Ct., Farmington Hills, MI 48331.

3. Prior to the Objection Deadline, the Debtors received an informal response (the “**Informal Response**”) from the Office of the United States Trustee for the District of Delaware (the “**U.S. Trustee**”). Other than the Informal Response, the Debtors received no other responses to the Application and no objections or responses were filed on the Docket. The Informal Response was resolved by filing the *Supplemental Declaration of Donald J. Detweiler in Support of Application of the Debtors for an Order Under 11 U.S.C. §§ 327(a) and 328(a), Fed. R. Bankr. P. 2014 and 2016, and Del. Bankr. L.R. 2014-1 and 2016-1 Authorizing and Approving the Employment and Retention of Womble Bond Dickinson (US) LLP as Co-Counsel Nunc Pro Tunc to October 6, 2023* [Docket No. 713].

4. To resolve the Informal Response, WBD also clarifies that, notwithstanding anything contained in Application, while performing all other services assigned by the Debtors, in consultation with co-counsel White & Case, to WBD as co-counsel to the Debtors, to the extent WBD determines that such services fall outside of the scope of services historically or generally performed by the firm as co-counsel in a bankruptcy proceeding, WBD will file a supplemental declaration pursuant to Bankruptcy Rule 2014 and give parties in interest an opportunity to object.

5. Finally, attached hereto as **Exhibit A** is a revised proposed order (the “**Revised Order**”) which corrects an error in the originally filed order. For the convenience of the parties, attached hereto as **Exhibit B** is a blackline reflecting the changes to the Revised Order.

WHEREFORE, the Debtors respectfully request that the Revised Order granting the relief requested in the Application, attached hereto as **Exhibit A**, be entered at the earliest convenience of the Court.

Dated: November 17, 2023
Wilmington, Delaware

<p><u>/s/ Morgan L. Patterson</u> WOMBLE BOND DICKINSON (US) LLP Donald J. Detweiler (DE Bar No. 3087) Morgan L. Patterson (DE Bar No. 5388) 1313 North Market Street, Suite 1200 Wilmington, Delaware 19801 Telephone: (302) 252-4320 Facsimile: (302) 252-4330 don.detweiler@wbd-us.com morgan.patterson@wbd-us.com</p> <p><i>Proposed Counsel to the Debtors and Debtors in Possession</i></p>	<p>WHITE & CASE LLP Thomas E Lauria (admitted <i>pro hac vice</i>) Matthew C. Brown (admitted <i>pro hac vice</i>) Fan B. He (admitted <i>pro hac vice</i>) 200 South Biscayne Boulevard, Suite 4900 Miami, FL 33131 Telephone: (305) 371-2700 tlauria@whitecase.com mbrown@whitecase.com fhe@whitecase.com</p> <p>David M. Turetsky (admitted <i>pro hac vice</i>) 1221 Avenue of the Americas New York, NY 10020 Telephone: (212) 819-8200 david.turetsky@whitecase.com</p> <p>Jason N. Zakia (admitted <i>pro hac vice</i>) 111 South Wacker Drive, Suite 5100 Chicago, IL 60606 Telephone: (312) 881-5400 jzakia@whitecase.com</p> <p>Roberto Kampfner (admitted <i>pro hac vice</i>) Doah Kim (admitted <i>pro hac vice</i>) RJ Szuba (admitted <i>pro hac vice</i>) 555 South Flower Street, Suite 2700 Los Angeles, CA 90071 Telephone: (213) 620-7700 rkampfner@whitecase.com doah.kim@whitecase.com rj.szuba@whitecase.com</p> <p><i>Counsel to Debtors and Debtors in Possession</i></p>
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